

Message Text

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ACTION EUR-12

INFO OCT-01 NEA-10 ISO-00 MCT-01 CIAE-00 DODE-00 PM-05
H-02 INR-10 L-03 NSAE-00 NSC-05 PA-02 SP-02
SS-15 USIA-15 IO-14 SY-05 /102 W
-----104382 041923Z /14

R 031400Z MAR 78
FM AMEMBASSY NICOSIA
TO SECSTATE WASHDC 7375
INFO AMEMBASSY ANKARA
AMEMBASSY ATHENS
AMEMBASSY CAIRO

UNCLAS NICOSIA 0583

E.O. 11652: N/A
TAGS: PGOV, PINS, CY
SUBJECT: TERRORISTS BOUND OVER FOR TRIAL

REF: NICOSIA 575

1. LOWER COURT CONDUCTING PRELIMINARY INQUIRY INTO KILLING OF YUSSUF AL SIBAI DECIDED MARCH 2 THAT SUFFICIENT EVIDENCE HAD BEEN INTRODUCED TO WARRANT SENDING TWO ACCUSED BEFORE ASSIZE COURT FOR TRIAL FOR MURDER. PROSECUTION IMMEDIATELY MOVED TO BRING ACCUSED BEFORE NICOSIA ASSIZE COURT WHICH NOW IN SESSION, BUT DEFENSE EXERCISED RIGHT TO REFUSE THIS PROCEDURE, ARGUING THAT AT LEAST ONE MONTH WAS NEEDED TO PREPARE CASE. JUDGE RULED THAT SINCE DEFENSE'S CONSENT WAS NEEDED FOR TRAIL BEFORE CURRENT ASSIZES, HE HAD NO CHOICE BUT TO BIND ACCUSED OVER TO NEXT SESSION OF ASSIZES MAY 8. ATTORNEY GENERAL THEREUPON PETITIONED SUPREME COURT TO CONVENE SPECIAL ASSIZE COURT TO TRY CASE NO LATER THAN MARCH 15. SUPREME COURT EXPECTED TO RULE ON PETITION WITHIN FEW DAYS.

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2. UNDER CYPRUS LAW, DEATH PENALTY IS MANDATORY FOR THOSE CONVICTED OF PREMEDITATED MURDER, ONLY RELIEF BEING PRESIDENTIAL REPRIEVE. A NUMBER OF DEATH SENTENCES WERE EXECUTED IN EARLY YEARS OF CYPRUS' INDEPENDENCE BUT NONE HAVE BEEN CARRIED OUT SINCE 1974. MOST RECENT EXERCISE OF PRESIDENTIAL CLEMENCY WAS MAKARIOS' 1977 COMMUTATION TO LIFE

IMPRISONMENT OF DEATH PENALTY IMPOSED ON KYRIAKOS KOUPI
FOR 1973 POLITICAL KILLING OF GEORGHIOS PHOTIOU (77 NICOSIA
2860).CRAWFORD

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NNN

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